

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTONMORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT☐ Section 1902(f) State      ☒ Non-Section 1902(f) State

1. The following resource regulation applies to the Medically Needy Program and the Optional Categorically Needy Program as defined in clauses (IV), (V), and (VI) of Section 1902(a)(10)(A)(ii) of the Social Security Act.

Effective January 10, 1988, it is presumed that one-half of the total resources held jointly by the husband and wife, or held separately by the applicant/recipient, are owned by each spouse. (TN 88-5, Approved 5/4/89 - Washington v. Bowen)

2. To the extent that it does not conflict with Section 1924 of the Social Security Act, the following resource regulation applies to the Medically Needy Program and the Optional Categorically Needy Program as defined in clauses (IV), (V), and (VI) of Section 1902(a)(10)(A)(ii) of the Social Security Act.

Effective January 1, 1989, it is presumed that one-half of the total resources held jointly by the husband and wife, or held separately by the applicant/recipient, are owned by each spouse. (TN 89-2, Approved 8/17/90)

3. The following resource regulation applies to individuals described in clause (A)(ii), and subclause (C)(i)(III) of subsection 1902(a)(10) of the Social Security Act.

Effective August 1, 1993, to the extent that it is not transferred, a sales contract on property that was the principal place of residence at the time of institutionalization is an exempt resource. The contract must provide a reasonable rate of return: 1) the interest is consistent with prevailing rates at the time of the sale; and 2) the payment of amount owed is anticipated within the lifetime of the client but does not exceed thirty years. Both interest and principal received in the form of payments are considered unearned income, unless otherwise exempted.

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTONMORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT, Continued.☐ Section 1902(f) State ☒ Non-Section 1902(f) State

4. The following resource regulation applies to individuals described in clauses (A)(ii), and subclause (C)(i)(III) of subsection 1902(a)(10) of the Social Security Act.

Effective July 1, 1990, individuals, non-cash resources, that cannot be expected to be converted into cash within 20 working days, are not considered available to the extent that an ongoing bona fide effort to convert them into cash is unsuccessful. (TN 90-21, Approved 11/5/90)

5. The following resource policy applies to institutionalized individuals eligible under subclauses (IV), (V), and (VI) of clause (A)(ii) of section 1902(a)(10).

Effective October 1, 1991, non-exempt resources in excess of the Supplemental Security Income (SSI) resource levels found in SUPPLEMENT 2 TO ATTACHMENT 2.6-A, Page 6, can, at the individuals option, be reduced by incurred expenses listed in C. 4. a. (2) of ATTACHMENT 2.6-A (Page 14) as long as such expenses have not been used to reduce excess income. (TN 90-17, Approved 10/4/91)

6. The following resource policy applies to institutionalized individuals eligible under subparagraph (C) of Section 1902(a)(10).

Effective October 1, 1991, non-exempt resources in excess of the Medically Needy resource levels found in SUPPLEMENT 2 TO ATTACHMENT 2.6-A, Page 7, can, at the individuals option, be reduced by incurred expenses listed in C. 4. a. (2) of ATTACHMENT 2.6-A (Page 14) as long as such expenses have not been used to reduce excess income. (TN 90-17, Approved 10/4/91)

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7. The following resource methodology applies to children covered under Section 1902(a)(10)(A)(i)(III) of the Act.  
  
All resources will be excluded in determining eligibility for individuals, who are defined in 1905(n)(2) of the Act.
8. The following resource methodology applies to individuals described in sub-clause (C)(i)(III) of subsection 1902(a)(10) of the Social Security Act.  
  
All resources will be excluded in determining eligibility for children under 19 years of age.

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9. The following resource methodology applies to SSI-related individuals described in clause (A)(ii), and sub-clause (C)(i)(III) of subsection 1902(a)(10) of the Social Security Act.

Furnishings, clothing, and ordinary household and personal items which provide the essentials of living, basic comfort, and convenience are excluded without limit when determining eligibility.

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MORE LIBERAL METHODS OF TREATING RESOURCES UNDER SECTION 1902 (r) (2) OF THE ACT.

☐ Sections 1902 (f) state ☒ Non-Section 1902(f) state

A resource disregard is given to an aged, blind or disabled person who has purchased a long term care insurance policy approved by the Washington Insurance Commissioner, under Washington Long-Term Care Partnership Program.

The resource disregard shall be equal to the amount paid for licensed nursing facility and/or home and community-based services covered under Medicaid.

Pursuant to Section 1917(c)(2)(C)(ii), a transfer of resources disregarded under this provision shall not be subject to a penalty period.

If retained, the disregarded resources are subject to Medicaid estate recoveries under Section 1917(b)(1)(c)(i) of the Act.

Washington State Insurance Commissioner shall ensure that long-term care brokers fully disclose the impact of Medicaid estate recovery to buyers, or potential buyers, of such insurance.

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